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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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Total Number of Pages in This Submission

2

Application Number

09/964,000

Filing Date

September 26, 2001

First Named Inventor

Guess, William Y.

Art Unit

1761

Examiner Name

Becker, Drew E.

Attorney Docket Number

ENCLOSURES (Check all that apply)

- | | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
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| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | Response to Notification of Non-Compliant Appeal Brief | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	William Y. Guess		
Printed name	William Y. Guess		
Date	Oct. 18, 2005	Reg. No.	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	William Y. Guess	Date	Oct. 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No : 09/964/000 Confirmation No. 3019
Applicant : William Y. Guess
Filed : September 26, 2001
TC/A.U. : 1761
Examiner : Drew E Becker

Commissioner For Patents

P.O. Box 1450

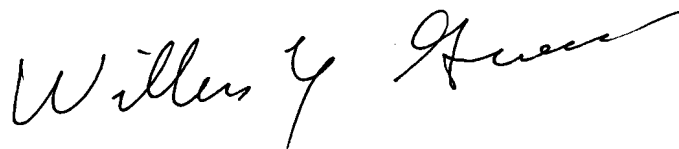
Alexandria VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief, applicant disagrees and directs the examiners attention to 37 CFR § 41.37 (c)(1) which states clearly that appellants "not represented by a registered practitioner need only substantially comply with paragraphs (c) (1) (i) through (c) (1) (iv) and (c) (1)(vii) through (c) (1)(x) of this section:". Pursuant to this clear language, appellant is not required to include either a summary of the invention under heading (v) or the grounds of rejection under heading (vi). Appellant included items under these headings as a courtesy to the board such that a single document (the brief) would contain the relevant, albeit in the case of the summary, cursory information. Appellant's invention is very simple.

Appellant wishes to avoid further delay regarding this appeal and therefore has responded to the above notification as promptly as possible.

Respectfully submitted,

A handwritten signature in cursive script, reading "William Y. Guess". The signature is written in black ink and is positioned above the printed name.

William Y. Guess

October 18, 2005